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THE ENVIRONMENTAL EFFECTS OF CRUELTY TO AGRICULTURAL ANIMALS

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INTRODUCTION

Laws criminalizing animal abuse should apply to the agricultural industry. When we exempt the agricultural industry from these laws, factory farms increase production to unnaturally high levels. This increased production causes devastating environmental effects, such as climate change, water shortages, and the loss of topsoil. In light of these effects, the law needs to do much more to regulate the agricultural industry, and the first step should be to criminalize cruelty to agricultural animals. This would force the industry to slow down production to more natural levels that are much less harmful to the environment.

I. FACTORY FARMS INCREASE PRODUCTION TO UNNATURALLY HIGH LEVELS

The agricultural industry has been incredibly successful at convincing legislatures and agencies to exempt farmers from regulation. These exemptions have an intuitive appeal because we envision a smalltime, sun-scorched farmer putting on his mud boots before sunrise to go milk the cows and check on his fields, just as numerous generations did before him. This type of farmer hardly seems like someone we need to regulate, so it is no wonder that society has chosen to exempt his activities. The problem, of course, is that the real beneficiaries of these exemptions are factory farms—the Wal-Marts of farming—that run animals through assembly lines in an ongoing effort to maximize production. Most smalltime farmers are already treating their animals well and therefore do not need an exemption from animal cruelty laws. For centuries before “free-range” became a marketing ploy, that was simply how it was done, and farmers took pride in caring for their animals.

Factory farms hire lobbyists and participate in agency rulemaking because they have by far the most to gain from an unregulated industry. Unlike smalltime farmers, factory farms often fail to treat their animals with even minimal amounts of care. They are notorious for cramming far too many

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animals into far too little space. Indeed, factory farms are often called confined animal feeding operations. In *The Emotional Lives of Animals*, Mark Bekoff notes that a friend of his in the industry describes the thought process as follows: “How many chickens can you get in a cage with Vaseline and a shoehorn?” To make matter worse, animals such as chickens are territorial: when you throw too many of them into the same small cage, they are likely to attack each other. Rather than provide birds with additional space, factory farms often debeak birds—an incredibly painful process that is done without the aid of any anesthetic. In this way, one cruel practice leads to another, and production continues to increase.

Regulation scares factory farms because their practices undoubtedly violate any definition of cruelty to animals. It is impossible to treat animals humanely in a business that refuses to consider the interests of animals. As Mark Bittman recently said in the *New York Times*, factory farms are only in the business of “[g]rowing meat” because “it’s hard to use the word ‘raising’ when applied to animals in factory farms.” Without an exemption from animal cruelty laws, factory farms might have to provide their animals with adequate space, medical care, and humane handling. If they have to treat animals as the sentient beings that they are, production will surely decrease—a result that factory farms are unwilling to accept.

II. UNNATURALLY HIGH PRODUCTION LEVELS HAVE DEVASTATING EFFECTS ON THE ENVIRONMENT

While factory farms are keen on keeping production levels as high as possible, the rest of society would be much better off if we found ways to decrease production at these plants. Although increased production usually benefits the economy, it is problematic in an industry—such as factory farming—that externalizes many of its costs and contributes to numerous environmental problems that affect human health and welfare. The unnaturally high production rates of factory farms have devastating effects on the environment, including hastening climate change, creating water quality and quantity problems, and destroying topsoil.

Livestock on factory farms currently play an enormous role in the climate change crisis. A recent United Nations study found that livestock account for eighteen percent of all greenhouse gas emissions. In comparison, all of the cars, trucks, airplanes, and other modes of fossil-based transportation combined only account for thirteen percent of the world’s emissions. Much of the livestock pollution comes from methane—a greenhouse gas (emitted directly by cows and sheep) that is at least twenty times more potent than carbon dioxide. Just looking at methane alone, the 100 million or so cattle in the United States produce roughly the same amount of greenhouse gas emissions as an equal number of cars. Factory farms also create significant carbon dioxide emissions (as well as other air pollution) by shipping large quantities of feed and meat products back and forth across the country. In addition, factory farms are responsible for mass deforestation for pasture land and to grow feed for agricultural animals.

Deforestation is a major contributor to climate change because it releases the carbon dioxide that is stored in standing trees. While politicians debate over what to do to reduce car emissions, the agribusiness lobby has so far quelled any debate over increased regulation of their industry, even though regulating factory farms would go much further towards averting the climate change crisis.

Factory farms also pose a major threat to the most crucial natural resource of all—water. In recent years, many scientists have recognized that we are currently facing a severe shortage of usable water. The United Nations has deemed the situation a worldwide “water crisis,” and the western United States is one area that is quickly running out of water. Factory farms are contributing to this water crisis in numerous ways. To begin, their contribution to climate change also contributes to the water crisis, since warmer global temperatures lead to lower lake and river levels. In addition, factory farms feed their livestock vast quantities of corn, soy, alfalfa, and other crops that take enormous amounts of water to grow. In the United States, crop irrigation accounts for over eighty percent of the consumptive use of freshwater, and in many arid western states, the level increases to around ninety percent. Although some of those crops feed humans, a staggering amount (including between sixty and seventy percent of all corn and soybeans grown in the United States) feed livestock. When farmers only had a small amount of livestock—many of which could graze on grass—much of this feed was unnecessary. On factory farms, however, livestock are crammed into cement bunkers, where grazing on grass is impossible and where there are so many of them that they demand an enormous amount of feed (and all of the water needed to grow that feed). As with greenhouse gas emissions, these facts fail to enter the political debate, and politicians propose drastic measures—such as building pipelines to bring water from the Great Lakes to the southwest—rather than regulating factory farms.

Factory farms have similarly negative effects on water quality. Agriculture is the leading contributor to water quality impairment in the United States, and the meat industry is often the worst of the worst. Raising unnaturally high numbers of animals in confined areas creates a large quantity of waste that is often not treated properly before it enters our nation’s waterways. For instance, in *United States v. Sinskey*, a meat-packing plant’s decision to double the number of hogs it raised—and thereby create more waste than their wastewater treatment plant could handle—necessarily resulted in criminal violations of the Clean Water Act. *Sinskey* involved one of the rare instances where a factory farm was caught for its environmental violations. More frequently, the dumping of untreated—or improperly treated—waste goes undetected, to the detriment of our waterways and human health.

Factory farms are also destroying topsoil. As Tom Paulson recently reported in the *Seattle Post-Intelligencer*, the erosion of topsoil—at rates more than ten times the replacement rate—is “a global crisis” that threatens “the shallow skin of nutrient-rich matter that sustains most of our food and appears to play a critical role in supporting life on Earth.” According to Harvey

Blatt in *America's Environmental Report Card*, "a few inches of dirt is all that separates us from mass starvation." Factory farms are thinning this precious layer of topsoil by demanding vast quantities of certain crops (like corn and soy) that can be used as feed for their livestock. To meet this demand, farmers often clear additional fields and use tilling techniques that erode topsoil. Millions of acres of land are farmed every year just to feed the livestock at factory farms, and, as a result, every year these fields are left with less topsoil.

III. CRIMINALIZING CRUELTY TO AGRICULTURAL ANIMALS WILL HELP PROTECT THE ENVIRONMENT

Factory farming as we know it—and its devastating environmental effects—would not be possible if we were to criminalize cruelty to agricultural animals. That is why this multi-billion-dollar industry spends so many resources lobbying legislatures and agencies to leave their practices unregulated. As soon as government steps in and requires factory farms to treat their animals appropriately—for instance, by providing each animal with adequate space to roam—these farms will not be able to raise nearly as many animals. Production will thus decrease, which will mitigate the environmental damage wrought by factory farms. Fewer agricultural animals will necessarily translate to less methane and other greenhouse gas emissions, less water consumption and pollution, and less erosion of topsoil. These and other environmental benefits all flow directly from decreasing production on factory farms.

Critics of the idea of criminalizing cruelty to agricultural animals are sure to point out that decreased production will raise the cost of meat. For instance, free-range, grass-fed beef currently costs more than beef from factory farms. Of course, many consumers are willing to pay the extra money, especially since grass-fed beef is a more healthful choice (in part because it is often organic since grass grows quite well without fertilizers and pesticides, despite the beliefs of millions of lawn manicurists). Nevertheless, what about those who do not (or cannot) pay more for their meat? The answer in this case (and arguably with regard to organic, sustainably produced goods in general) is that any increase in price merely reflects the true cost of these products. Meat from factory farms is currently a highly subsidized product with an artificially low price. The billions of dollars in annual subsidies for corn, soy, and other crops that are used primarily as animal feed are essentially subsidies for factory farms because they decrease the cost of animal feed. The meat-packing industry (as well as the feed industry that supports it) also externalizes enormous environmental costs. Economists call these costs externalities because they are improperly excluded from an industry's assessment of its costs and the price it charges for its products. Companies like Tyson Foods and Cargill never pay for their contributions to the climate change, water, and topsoil crises. Nor do they pay for the pain they cause their animals by raising them in some of the most inhumane conditions imaginable. Economists call this situation a market failure. To

remedy this failure, the prices of meat products need to increase to reflect their true costs.

In addition to the direct environmental benefits that flow from criminalizing cruelty to agricultural animals, regulating factory farms in this way would also have more subtle environmental benefits. In particular, it would signal a move to a more ecologically sound view of the world. The current mistreatment of animals in factory farms is symbolic of the way humans interact with much of the natural world—namely, seeing everything as a resource for human use. This mindset is at the root of the destruction of wilderness areas and old growth forests, the extinction of countless species, the near depletion of much of the world's fisheries, the crises in climate change, water, and topsoil, and many other environmental catastrophes that will haunt future generations. If we can move beyond the idea that animals are nothing more than resources for human consumption—if we can force factory farms to treat animals humanely—then we will be moving in the right direction toward a more humble view of our place in the natural world, and our environment will benefit greatly.

CONCLUSION

Factory farms have devastating environmental effects, and we need to do much more to regulate this industry. The first step should be to criminalize cruelty to agricultural animals to slow down production and thereby decrease the environmental destruction wrought by factory farms. The animals will thank us, and it will create a much better future for humans as well.